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Counsel for Plaintiff

**Admitted Pro Hac Vice*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

WYOMING RESCUE MISSION,
Plaintiff,

v.

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, ET AL.,**
Defendants.

Civil Case No.: 1:22-cv-00206

**PLAINTIFF’S MOTION FOR
PRELIMINARY INJUNCTION**

(ORAL ARGUMENT REQUESTED)

Plaintiff Wyoming Rescue Mission (“the Mission”) moves this Court, pursuant to Rule 65 of the Federal Rules of Civil Procedure, to issue a preliminary injunction enjoining Defendants from directly or indirectly enforcing Wyoming’s Fair Employment Practices Act (“FEPA”), Wyo. Stat. Ann. § 27-9-101, *et seq.*, and Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, against the Mission. Specifically, the Mission requests that the Court enter a preliminary injunction ordering the following relief:

- A. Enjoining Defendants, and their officers, agents, employees, and all other persons acting in concert with them, from enforcing (including through investigations) FEPA and Title VII against the Mission for engaging in its constitutionally protected activities, including its right to prefer employing those individuals that agree with and will adhere to its religious beliefs and practices (i.e., coreligionists), its right to engage in religious exercise, its right to communicate its beliefs to others, and its right to associate for expressive purposes;
- B. Enjoining the EEOC and Chair Burrows, and their officers, agents, employees, and all other persons acting in concert with them, from enforcing (including through investigations) Title VII against the Mission in any manner that would interfere with the Mission's religious exercise of preferring coreligionists as protected by the Religious Freedom Restoration Act; and
- C. Waiving any requirement for bond or security.

As explained in the accompanying Memorandum, a preliminary injunction is warranted because, as interpreted and applied by Defendants, FEPA and Title VII violate the Mission's First Amendment rights. The Mission also is suffering and will continue to suffer irreparable harm without injunctive relief, such relief would benefit the Mission greater than it would harm Defendants, and an injunction would be in the public interest.

In support of this motion, the Mission relies on its Memorandum in Support of Preliminary Injunction; the Declarations of Brad Hopkins, Brenda Thomson, and Bernadette Eddy; the Mission's Verified Complaint, and the attachments thereto. *See* Local Rule 7.1(b)(2)(A). The Mission's Memorandum in Support of Preliminary Injunction contains 25 pages. *See id.* 7.1(b)(2)(B).

Finally, the Mission requests oral argument because it believes oral argument will aid the Court in its consideration of the motion. *See id.* 7.1(a).

Respectfully submitted this 11th day of October, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2022, I electronically filed the foregoing Motion for Preliminary Injunction, Memorandum in Support, and the supporting Declarations of Brad Hopkins, Brenda Thomson, and Bernadette Eddy using the CM/ECF system, and I hereby certify that the same will be served via certified mail and by process server to non-ECF participants:

Equal Employment Opportunity Commission

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